



**\*OGC Has Reviewed\***

15 August 1956

**MEMORANDUM FOR THE RECORD**

**Subject: Retroactivity of Pay Increases**

1. In accordance with the Director's instructions, I called Mr. Lyle Fisher, General Counsel to the Comptroller General, on 14 August to inquire whether he felt we could adopt the retroactive provisions of the Executive Pay Act of 1956. Mr. Fisher recalled the pay raise in 1949, which had a retroactive provision, and that he had been compelled to rule against the administrative agencies adopting this provision. He also recalled that Congress had specifically authorized the administrative agencies to make retroactive adjustments in the pay raises of 1955. He said he would have his staff look into the circumstances of the new bill.

2. Mr. Fisher called me back on Thursday and said they had reviewed the situation and could find no distinction between the 1956 Congressional action and the 1949 Congressional action. He said that he sympathized with our desire to make the raises retroactive and would like to find in our favor, but would be compelled to take the same legal position as they had taken in 1949 and object. He stated that the other administrative agencies, such as AEC, were in the same position but had not proposed to him that they take retroactive action on the pay increases.

25X1A9a



Lawrence R. Houston  
General Counsel